

Customer No. 24498

Atty. Docket No. PU030229

Serial No. 10/566,493

Reply to Office Action Dated 11/24/08

**REMARKS**

Claims 1-20 are pending in the Application. Claim 1-20 are rejected by Examiner. Claims 1, 3-5, 7-15, and 17-19 are amended by Applicant. Claim 1 has also been objected to.

**Amendments to the Claims**

Claims 1, 3-5, 7-15, and 17-19 have been amended to clarify that the colors referenced are the primary colors of sequential color display. Claims 1 and 7 have also been amended to address some typographical errors.

**Objections to the Claims**

Claim 1 has been objected to for reciting "when the at least pixel" instead of "when the at least one pixel". Claim 1 has been amended as suggested by the Examiner. As such, Applicant respectfully requests that the Examiner withdraw the objection to Claim 1.

**Claim Rejections Pursuant to 35 U.S.C. §102**

Claims 1, 2, 6, 7, 11, 15, 16, and 20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Morgan in U.S. Patent Application No. 6,567,134 (Hereinafter Morgan). Applicant respectfully traverses the rejection.

**Claims 1, 7, and 15**

Morgan fails to disclose each and every element of independent claims 1, 7 and 15. Specifically, Morgan fails to disclose using light occurring during at least one first spoke, corresponding to a first interval when the color changer transitions from one primary color to another, when said at least one pixel has a brightness for at least one *primary* color above a prescribed threshold as recited in amended claims 1, 7 and 15.

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The present application deals with using spoke light to boost the brightness of primary colors when the brightness level of the primary colors exceeds a threshold level. The claims have been amended to clarify this. This concept is not disclosed, taught or suggested in Morgan.

In Morgan the spoke light is used to boost the brightness for secondary colors (i.e. yellow, cyan, magenta) not the brightness of primary colors (i.e. red, blue, green). Indeed, Morgan requires additional processing to determine the secondary color brightness levels before the spoke light can be used to increase brightness of the secondary colors. This adds more complexity to the system.

In contrast, the present application does required the added complexity of determining secondary color brightness levels as the spoke light is used to boost the brightness of primary colors. This is a concept that Morgan actually teaches away from using. (See Abstract and Background, column 2, lines 10-27.)

Thus, in view the amendments and above arguments, Applicant respectfully submits that Morgan fails to disclose each and every element of claims 1, 7 and 15. Accordingly, Morgan does not anticipate claims 1, 7 and 15. As such, Applicant respectfully requests the Examiner withdraw the rejection under 35 U.S.C. § 102(e) and pass claims 1, 7 and 15 to allowance.

Claims 2, 6, 16, and 20

Claims 2 and 6 depend from claim 1 and, as such, incorporate each and every element of claim 1. Claims 16 and 20 depend from claim 15 and, as such, incorporate each and every element of claim 15. As set forth above, Morgan fails to disclose each and every element of claims 1 and 15. Thus, Morgan also fails to disclose each and every element of claims 2, 6, 16 and 20. Accordingly, Morgan does not anticipate claims 2, 6, 16 and 20. As such, Applicant respectfully requests

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the Examiner withdraw the rejection under 35 U.S.C. § 102(e) and pass claims 2, 6, 16 and 20 to allowance.

Claim 11

Morgan fails to disclose each and every element of independent claim 11. Specifically, Morgan fails to disclose altering at least one sequence of pulse width segments above a prescribed pixel brightness level for at least one primary color to selectively increase pixel brightness for at least one *primary* color by using light during the at least one first spoke as recited in amended claim 11.

As discussed above, the present application deals with using spoke light to boost the brightness of primary colors when the brightness level of the primary colors exceeds a threshold level. Claim 11 has been amended to clarify this. This concept is not disclosed, taught or suggested in Morgan.

Morgan uses the spoke light to boost the brightness for secondary colors (i.e. yellow, cyan, magenta) which requires additional processing to determine the secondary color brightness levels before the spoke light can be used to increase brightness of the secondary colors. This adds more complexity to the system.

In contrast, the present application does required the added complexity of determining secondary color brightness levels as the spoke light is used to boost the brightness of primary colors. This is a concept that Morgan actually teaches away from using. (See Abstract and Background, column 2, lines 10-27.)

Thus, in view the amendments and above arguments, Applicant respectfully submits that Morgan fails to disclose each and every element of claim 11. Accordingly, Morgan does not anticipate claim 11. As such, Applicant respectfully requests the Examiner withdraw the rejection under 35 U.S.C. § 102(e) and pass claim 11 to allowance.

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**Claim Rejections Pursuant to 35 U.S.C. §103**

Claims 3-5, 8-10, 12-14, and 17-19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Morgan in U.S. Patent Application No. 6,567,134 (Hereinafter Morgan). Applicant respectfully traverses the rejection.

Claims 3-5 depend from claim 1 and, as such, incorporate each and every element of claim 1. Claims 8-10 depend from claim 7 and, as such, incorporate each and every element of claim 7. Claims 12-14 depend from claim 11 and, as such, incorporate each and every element of claim 11. Claims 17-19 depend from claim 15 and, as such, incorporate each and every element of claim 15. For much the same reasons as set forth above in discussing the 35 U.S.C. § 102 rejections, Morgan fails to teach, or suggest each and every element of amended independent claims 1, 7, 11, and 15. As such, Morgan also fails to teach or suggest each and every element of claims 3-5, 8-10, 12-14, and 17-19 which depend from independent claims 1, 7, 11, and 15.

As discussed above, the present application deals with using spoke light to boost the brightness of primary colors when the brightness level of the primary colors exceeds a threshold level. The claims have been amended to clarify this. This concept is not disclosed, taught or suggested in Morgan.

Morgan uses the spoke light to boost the brightness for secondary colors (i.e. yellow, cyan, magenta) which requires additional processing to determine the secondary color brightness levels before the spoke light can be used to increase brightness of the secondary colors. This adds more complexity to the system.

In contrast, the present application does required the added complexity of determining secondary color brightness levels as the spoke light is used to boost

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the brightness of primary colors. This is a concept that Morgan actually teaches away from using. (See Abstract and Background, column 2, lines 10-27.)

Thus, in view the amendments and above arguments, Applicant respectfully submits that Morgan fails to teach or suggest each and every element of amended independent claims 1, 7, 11 and 15 as well as dependent claims 3-5, 8-10, 12-14, and 17-19 which depend from the independent claims. Accordingly, claims 3-5, 8-10, 12-14, and 17-19 are patentable over Morgan. As such, Applicant respectfully requests the Examiner withdraw the rejection under 35 U.S.C. § 103(a) and pass claims 3-5, 8-10, 12-14, and 17-19 to allowance.

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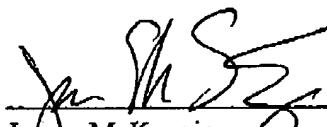
**CONCLUSION**

Applicant respectfully submits that the amended pending claims patentably define over the cited art and respectfully requests reconsideration and withdrawal of the 35 U.S.C. §102 and 103 rejections of the pending claims. Renewed reconsideration for a Notice of Allowance is respectfully requested.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefore.

Respectfully submitted,  
Donald Henry Willis

Date: 5/27/09

  
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